

Senate Study Bill 3179 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON DEARDEN)

A BILL FOR

1 An Act relating to the regulation of snowmobiles, and making
2 penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321G.3, Code 2014, is amended to read as
2 follows:

3 **321G.3 ~~Registration~~ Resident registration and user permit**
4 **required — farm exemption — penalties.**

5 1. Each snowmobile used by a resident on public land,
6 public ice, or a designated snowmobile trail of this state
7 shall be currently registered in this state pursuant to section
8 321G.4. A ~~person~~ resident shall not operate, maintain, or give
9 permission for the operation or maintenance of a snowmobile
10 on public land, public ice, or a designated snowmobile trail
11 unless the snowmobile is registered in accordance with this
12 chapter ~~or applicable federal laws or in accordance with an~~
13 ~~approved numbering system of another state and the evidence~~
14 ~~of registration is in full force and effect.~~ A The owner
15 of a snowmobile must also ~~be issued~~ obtain a user permit in
16 accordance with ~~this chapter~~ section 321G.4A.

17 2. The owner of a snowmobile that is exempt from regular
18 registration under section 321G.8, subsection 2, for which a
19 certificate of title has been issued, shall apply for a special
20 farm registration certificate which shall be issued without
21 payment of a registration fee, upon payment of a writing fee
22 as provided in section 321G.27 and an administrative fee
23 established by the commission. A registration decal shall not
24 be issued for the snowmobile and the special farm registration
25 shall not expire so long as the snowmobile remains exempt from
26 regular registration.

27 ~~2.~~ 3. A violation of subsection 1 is punishable as a
28 scheduled violation under section 805.8B, subsection 2,
29 paragraph "a". When the scheduled fine is paid, the violator
30 shall submit proof to the department that a valid registration
31 and user permit have been obtained by providing a copy of the
32 registration and user permit to the department within thirty
33 days of the date the fine is paid. A person who violates this
34 subsection is guilty of a simple misdemeanor.

35 Sec. 2. Section 321G.4, subsections 2 and 4, Code 2014, are

1 amended to read as follows:

2 2. The owner of the snowmobile shall file an application for
3 registration with the department through the county recorder of
4 the county of residence, or in the case of a nonresident owner
5 wishing to register a snowmobile in this state, in the county
6 of primary use, in the manner established by the commission.
7 The application shall be completed by the owner and shall be
8 accompanied by a fee of fifteen dollars and a writing fee
9 as provided in section 321G.27. A snowmobile shall not be
10 registered by the county recorder until the county recorder is
11 presented with receipts, bills of sale, or other satisfactory
12 evidence that the sales or use tax has been paid for the
13 purchase of the snowmobile or that the owner is exempt from
14 paying the tax. A snowmobile that has an expired registration
15 certificate from another state may be registered in this state
16 upon proper application, payment of all applicable registration
17 and writing fees, and payment of a penalty of five dollars.

18 4. Notwithstanding subsections 1 and 2, a snowmobile ~~that~~
19 ~~is more than thirty years old~~ manufactured prior to 1984 may
20 be registered as an antique snowmobile for a one-time fee
21 of twenty-five dollars, which shall exempt the owner from
22 annual registration and fee requirements for that snowmobile.
23 However, if ownership of ~~such a~~ an antique snowmobile is
24 transferred, the new owner shall register the snowmobile and
25 pay the one-time fee as required under this subsection. A
26 snowmobile may be registered under this section with only a
27 signed bill of sale as evidence of ownership.

28 Sec. 3. NEW SECTION. 321G.4B Nonresident requirements —
29 penalties.

30 1. A nonresident wishing to operate a snowmobile on public
31 land, public ice, or a designated snowmobile trail of this
32 state shall obtain a user permit in accordance with section
33 321G.4A. In addition to obtaining a user permit, a nonresident
34 shall register the snowmobile pursuant to section 321G.4 or
35 display a current registration decal or other evidence of

1 registration or numbering required by the owner's state of
2 residence unless the owner resides in a state that does not
3 register or number snowmobiles.

4 2. A violation of subsection 1 is punishable as a scheduled
5 violation under section 805.8B, subsection 2, paragraph
6 "a". When the scheduled fine is paid, the violator shall
7 submit proof to the department that a user permit has been
8 obtained and provide evidence of registration in this state
9 or registration or numbering as required by the owner's state
10 of residence, if applicable, to the department within thirty
11 days of the date the fine is paid. A person who violates this
12 section is guilty of a simple misdemeanor.

13 Sec. 4. Section 321G.8, subsection 2, Code 2014, is amended
14 to read as follows:

15 2. Snowmobiles used exclusively as farm implements, except
16 as provided in section 321G.3, subsection 2.

17 Sec. 5. Section 321G.20, Code 2014, is amended to read as
18 follows:

19 **321G.20 Operation by minors.**

20 1. An owner or operator of a snowmobile shall not permit a
21 person under twelve years of age to operate and a person less
22 than twelve years of age shall not operate a snowmobile on a
23 designated snowmobile trail, public land, or public ice ~~except~~
24 when unless the person is accompanied on the same snowmobile by
25 a responsible person of at least eighteen years of age who is
26 experienced in snowmobile operation and who possesses a valid
27 driver's license, as defined in section 321.1, or an education
28 certificate issued under this chapter or the person is
29 operating a snowmobile approved for operation by a person under
30 12 years of age pursuant to rules adopted by the department and
31 is accompanied as provided in subsection 2.

32 ~~2. While operating a snowmobile on a designated~~ A person
33 under sixteen years of age shall not operate a snowmobile on
34 a designated snowmobile trail, public land, or public ice, a
35 ~~person twelve through fifteen years of age shall possess a~~

1 ~~valid education certificate issued under this chapter and must~~
2 ~~be~~ unless the operation is under the direct supervision of a
3 parent, guardian, or another adult authorized by the parent
4 or guardian, who is experienced in snowmobile operation and
5 possesses a valid driver's license, as defined in section
6 321.1, or an education certificate issued under this chapter.

7 3. A person ~~under eighteen~~ twelve through seventeen years of
8 age ~~but over the age of fifteen~~ shall not operate a snowmobile
9 ~~on or across a public highway~~ a designated snowmobile trail,
10 public land, or public ice unless the person has in the
11 person's possession an education certificate issued to the
12 person pursuant to this chapter.

13 Sec. 6. Section 321G.24, subsection 1, Code 2014, is amended
14 to read as follows:

15 1. A person ~~under eighteen~~ twelve through seventeen years
16 of age shall not operate a snowmobile on public land, public
17 ice, a designated snowmobile trail, or land purchased with
18 snowmobile registration funds in this state without obtaining a
19 ~~valid~~ an education certificate approved by the department and
20 having the certificate in the person's possession, unless the
21 person is accompanied on the same snowmobile by a responsible
22 person of at least eighteen years of age who is experienced in
23 snowmobile operation and possesses a valid driver's license, as
24 defined in section 321.1, or an education certificate issued
25 under this chapter.

26 Sec. 7. Section 805.8B, subsection 2, paragraph a, Code
27 2014, is amended to read as follows:

28 a. For registration or user permit violations under section
29 321G.3, subsection 1, or section 321G.4B, the scheduled fine
30 is fifty dollars.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill contains provisions relating to the registration
35 and operation of snowmobiles.

1 The bill separates requirements for residents from
2 requirements for nonresidents. Pursuant to current law, the
3 owner of a snowmobile who is a resident of this state is
4 required to register the snowmobile and obtain a user permit.
5 That requirement is retained in Code section 321G.3. In
6 addition, that Code section is amended to provide for the
7 issuance of a special farm registration certificate for a
8 snowmobile that is exempt from registration but is titled.
9 The applicant for the special farm registration certificate
10 is required to pay a writing fee and an administrative fee,
11 but not a registration fee. The special farm registration is
12 nonexpiring, so long as the snowmobile retains the exemption
13 from regular registration.

14 The bill moves current requirements and penalty provisions
15 for nonresidents into new Code section 321G.4B. Current
16 requirements do not change: A nonresident who operates
17 a snowmobile on public land, public ice, or a designated
18 snowmobile trail in this state must obtain a user permit in
19 this state. In addition, a nonresident must either register
20 the snowmobile in this state or display a current registration
21 decal or other evidence of registration or numbering required
22 by the owner's state of residence, if required by that state.

23 Pursuant to current law, the penalty for a violation of
24 registration or user permit requirements by a resident or a
25 nonresident is punishable by a scheduled fine of \$50. Within
26 30 days after payment of the fine, a resident or nonresident
27 must submit proof that a user permit and registration,
28 if applicable, have been obtained. A violation of that
29 requirement is a simple misdemeanor.

30 The bill provides that a snowmobile manufactured prior
31 to 1984 may be registered as an antique snowmobile for a
32 one-time fee of \$25, which provides an exemption from annual
33 registration and fee requirements for that snowmobile. Current
34 law allows the one-time fee registration for snowmobiles that
35 are more than 30 years old. If ownership of the snowmobile is

1 transferred, the new owner must register the snowmobile and pay
2 the one-time fee as required under this subsection. The bill
3 also provides that an antique snowmobile may be registered with
4 only a signed bill of sale as evidence of ownership.

5 Currently, a person under 12 years of age is not permitted
6 to operate a snowmobile on a designated snowmobile trail,
7 public land, or public ice unless accompanied on the same
8 snowmobile by a responsible person who is at least 18 years of
9 age, is experienced in snowmobile operation, and possesses a
10 valid driver's license or a snowmobile education certificate.
11 A person age 12 through 15 must have a snowmobile education
12 certificate and be under the direct supervision of a parent,
13 guardian, or another adult authorized by the parent or guardian
14 who is experienced in snowmobile operation and possesses a
15 valid driver's license or a snowmobile education certificate.
16 The bill eliminates the requirement that the person under 12
17 years of age be accompanied on the same snowmobile, provided
18 the snowmobile is approved for operation by a person under
19 12 years of age pursuant to rules adopted by the department
20 of natural resources. The direct supervision requirement is
21 amended to apply to any person under 16 years of age.

22 Current law prohibits a person under 18 years of age but
23 over the age of 15 from operating a snowmobile on or across
24 a public highway without a snowmobile education certificate
25 in the person's possession. That provision is stricken, and
26 the bill instead requires that any person age 12 through
27 17 have an education certificate in order to operate a
28 snowmobile on a designated trail, public land, or public ice
29 unless the person is accompanied on the same snowmobile by a
30 responsible person at least 18 years of age who is experienced
31 in snowmobile operation and possesses a valid driver's license
32 or a snowmobile education certificate.

33 The bill makes a conforming amendment to Code section 805.8B
34 to reflect the new location of the penalty provision for
35 nonresidents.